

STATE OF SOUTH CAROLINA)
)
COUNTY OF SALUDA)

ORDINANCE NO. 06-24

AN ORDINANCE APPROVING THE SALE OF REAL PROPERTY LOCATED AT 304 WEST HIGHLAND STREET, SALUDA, SALUDA COUNTY, SOUTH CAROLINA TO _____ AND OTHER MATTERS RELATING THERETO.

WHEREAS, Section 4-9-130 of the Code of Laws of South Carolina 1976, as amended, and Section 2-58 of the Code of Ordinances of Saluda County, South Carolina (the “*Code*”) require the County Council of Saluda County (the “*Council*”) to act by ordinance following public hearing prior to taking final action to sell, lease, or contract to sell or lease real property owned by Saluda County, South Carolina (the “*County*”);

WHEREAS, Code Section 2-33 gives the Council sole authority to enter into contracts, agreements, or other documents on behalf of the County and authorizes only the County Administrator and Council Chairman to sign on its behalf;

WHEREAS, the County is the owner of record of a 0.27 acre parcel of property located at 304 West Highland Street, Saluda, Saluda County, South Carolina 29138, a division of the tract currently identified as Tax Map No. 079-16-06-002, previously designated as TMS 079-16-06-003 on the Plat Prepared for Saluda County dated February 22, 2022, approved by the Saluda County Planning Commission (the “*Planning Commission*”) on March 24, 2022, and recorded in the office of the Register of Deeds for Saluda County in Book 1358, page 167 on March 24, 2022 (the “*Property*”);

WHEREAS, the Property is additionally designated as Parcel 2 on the Plat Prepared for Saluda County, revised February 2, 2024, to re-divide the tract into three parcels, to be recorded in the office of the Register of Deeds for Saluda County following approval by the Planning Commission;

WHEREAS, _____ has offered to purchase the Property from the County, and the County has agreed to sell the Property to _____;

WHEREAS, the Council has determined that it is in the best interest of the County and its residents to sell the Property to _____ pursuant to the material terms set forth in the associated purchase sale agreement (the “*Agreement*”), attached as Exhibit A; and

WHEREAS, the Council has further determined that it is in the best interest of the County and its residents to authorize either the Saluda County Administrator or Council Chairman to execute the Agreement, deed conveying the Property to _____, and any additional closing documents necessary to effectuate the transaction.

NOW, THEREFORE, BE IT ORDAINED by the County Council of Saluda County, the governing body of Saluda County, as follows:

Section 1. Findings of Fact. The findings of fact set forth in the above recitals are incorporated by reference as if restated verbatim.

Section 2. The County Administrator and Council Chairman are authorized on behalf of the County to execute and deliver the Purchase and Sale Agreement between _____ and Saluda County, South Carolina. This Agreement shall be in substantially the same form as the agreement attached as Exhibit A.

Section 3. The sale, by appropriate deed, of the county-owned property described above and in the attached Agreement is approved and authorized. The deed shall be prepared or approved by the County Attorney and approved by either or both the County Administrator or Council Chairman prior to execution.

Section 4. The County Administrator and Council Chairman are additionally authorized on behalf of the County to sign the deed and such other affidavits, agreements, assignments, notices, certificates, settlement statements, instruments, and other documents that may be required and that either or both of them may deem necessary to consummate the transaction set forth in the Purchase and Sale Agreement, all with such changes as may be approved by either or both of them, with approval to be conclusively by either or both of their signatures.

This ordinance shall take effect immediately upon adoption following public hearing.

DONE, RATIFIED, AND ADOPTED THIS ____ DAY OF _____, 2024.

ATTEST:

SALUDA COUNTY COUNCIL

Regina H. Turner, Clerk to Council

James L. Moore, Chairman

First Reading: April 8, 2024
Second Reading: April 15, 2024
Public Hearing: May 6, 2024
Third Reading: